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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,448	09/21/2001	Rajesh Agarwalla	RSW920010142US1	5773

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EXAMINER

PARTON, KEVIN S

ART UNIT PAPER NUMBER

2153

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/960,448

Applicant(s)

AGARWALLA ET AL.

Examiner

Kevin Parton

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhang et al. (USPN 6,553,409).

3. Regarding claims 1, 14, 17, and 30, Zhang et al. (USPN 6,553,409) teach a system for managing data in a network data processing system with means for:

- a. Receiving a packet containing data associated with content (column 6, lines 18-21).
- b. Determining whether the packet is enabled for content distribution by examining the data packet (column 6, lines 31-41). Note that in the reference, information in the packets is checked, and based on this information, it is determined if the packets will be sent on. If they have the information, they are enabled for content distribution.
- c. Responsive to the packet being enabled for content distribution, distributing the content in response to a request for the content without requiring a validity check (column 6, lines 42-49).

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4. Regarding claims 2 and 18, Zhang et al. (USPN 6,553,409) teach all the limitations as applied to claims 1 and 17, respectively. they further teach means wherein the content is a web page (column 5, lines 15-17).

5. Regarding claims 3 and 19, Zhang et al. (USPN 6,553,409) teach all the limitations as applied to claims 1 and 17, respectively. They further teach means wherein responsive to an absence of an enablement for content distribution, performing a validity check on the content in response to a request for the content (column 6, lines 50-60).

6. Regarding claims 4 and 20, Zhang et al. (USPN 6,553,409) teach all the limitations as applied to claims 1 and 17, respectively. They further teach means wherein the data processing system is one of a cache for Web content or a proxy server (column 5, lines 37-42).

7. Regarding claims 5 and 21, Zhang et al. (USPN 6,553,409) teach all the limitations as applied to claims 1 and 17, respectively. They further teach means wherein an indicator in the packet is used for determining whether the content is enabled for content distribution (column 6, lines 31-41).

8. Regarding claims 6 and 22, Zhang et al. (USPN 6,553,409) teach all the limitations as applied to claims 1 and 17, respectively. They further teach means wherein the indicator is in a header of the packet (column 6, lines 9-12).

9. Regarding claims 7 and 23, Zhang et al. (USPN 6,553,409) teach all the limitations as applied to claims 1 and 17, respectively. they further teach means

wherein the packet is transmitted using a hypertext transfer protocol (column 5, lines 5-7).

10. Regarding claims 8, 15, 24, and 31, Zhang et al. (USPN 6,553,409) teach a system with means for:

- a. Receiving a data packet containing content and control information (column 6, lines 18-21).
- b. Caching the content and control information (column 5, lines 38-42).
- c. Responsive to a request from a requestor for the content, determining whether a particular indicator is present (column 6, lines 31-41).
- d. Responsive to a determination that the particular indicator is present, sending the content to the requestor without performing a validity check (column 6, lines 42-49).

11. Regarding claims 9 and 25, Zhang et al. (USPN 6,553,409) teach all the limitations as applied to claims 8 and 24, respectively. They further teach means wherein the indicator identifies the content as being content distribution capable (column 6, lines 42-49). Please note that based on the header information, the content may or may not be content distribution capable.

12. Regarding claims 10 and 26, Zhang et al. (USPN 6,553,409) teach all the limitations as applied to claims 8 and 24, respectively. They further teach means responsive to a determination that the particular indicator is absent, performing the validity check using the control information (column 6, lines 55-59).

13. Regarding claims 11 and 27, Zhang et al. (USPN 6,553,409) teach all the limitations as applied to claims 8 and 24, respectively. They further teach means wherein the content is one of a web page, an audio file, a text file, a program, or a video file (column 5, lines 15-17).

14. Regarding claims 12 and 28, Zhang et al. (USPN 6,553,409) teach all the limitations as applied to claims 8 and 24, respectively. They further teach means wherein the control information follows a hypertext transfer protocol (column 5, lines 6-7).

15. Regarding claims 13, 16, 29, and 32, Zhang et al. (USPN 6,553,409) teach a system for managing content with means for:

- a. Receiving a request for content from a node (figure 6, element 600).
- b. Adding an indicator and control information used to cache the content in a header of a data packet, wherein the indicator is used by an enabled node to distribute the content without performing a validity check on the content (column 6, lines 42-49).
- c. Placing the content into the data packet (column 5, lines 38-42).
- d. Transmitting the data packet to the node (column 5, lines 38-42).

16. Claims 1, 3-6, 14, 17, 19-22, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Taylor et al. (USPN 6,728,885).

17. Regarding claims 1, 14, 17, and 30, Taylor et al. (USPN 6,728,885) teach a system for managing data in a network data processing system with means for:

- a. Receiving a packet containing data associated with content (column 5, lines 39-44).
- b. Determining whether the packet is enabled for content distribution by examining the data packet (column 6, lines 13-25). Note that in the reference, information in the packets is checked, and based on this information, it is determined if the packets will be sent on. If they have the information, they are enabled for content distribution.
- c. Responsive to the packet being enabled for content distribution, distributing the content in response to a request for the content without requiring a validity check (column 6, lines 31-43; column 12, lines 33-34).

18. Regarding claims 3 and 19, Taylor et al. (USPN 6,728,885) teach all the limitations as applied to claims 1 and 17, respectively. They further teach means wherein responsive to an absence of an enablement for content distribution, performing a validity check on the content in response to a request for the content (column 6, lines 45-50).

19. Regarding claims 4 and 20, Taylor et al. (USPN 6,728,885) teach all the limitations as applied to claims 1 and 17, respectively. They further teach means wherein the data processing system is one of a cache for Web content or a proxy server (column 6, lines 21-22).

20. Regarding claims 5 and 21, Taylor et al. (USPN 6,728,885) teach all the limitations as applied to claims 1 and 17, respectively. They further teach means

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wherein an indicator in the packet is used for determining whether the content is enabled for content distribution (column 6, lines 12-15).

21. Regarding claims 6 and 22, Taylor et al. (USPN 6,728,885) teach all the limitations as applied to claims 1 and 17, respectively. They further teach means wherein the indicator is in a header of the packet (column 6, lines 12-15).

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see the following:

- a. Davis et al. (USPN 6,760,756)
- b. Chiou et al. (USPN 6,792,507)

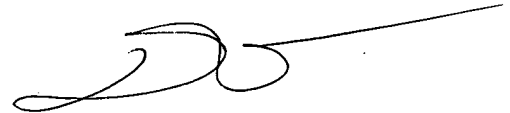
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Parton whose telephone number is (571)272-3958. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin Parton
Examiner
Art Unit 2153

ksp

A handwritten signature in black ink, appearing to read 'Dung C. Dinh', with a long horizontal line extending to the right.

Dung C. Dinh
Primary Examiner